

# EXECUTIVE DECISION

made by a Cabinet Member



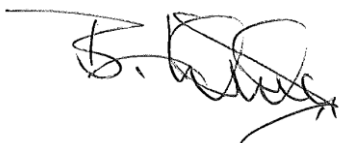
## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – ESS02 22/23

Decision				
1	<b>Title of decision:</b> Official Designation of Bathing Waters - Application for Firestone Bay			
2	<b>Decision maker (Cabinet member name and portfolio title):</b> Councillor Bill Wakeham, Cabinet Member for Environment and Street Scene			
3	<b>Report author and contact details:</b> Kat Deeney, Head of Environmental Planning Kathryn.Deeney@plymouth.gov.uk			
4	<b>Decision to be taken:</b> Approval to submit application to DEFRA for the designation of Firestone Bay as an Official Bathing Water			
5	<p><b>Reasons for decision:</b> Popularity of wild swimming and water based recreational activity has increased around Firestone Bay in last few years, and especially since Covid pandemic.</p> <p>Designation of Firestone Bay as an official Bathing Water would ensure monitoring and testing of water quality by the Environment Agency between May and September each year. The data would be made publically available.</p> <p>Plymouth already has 2 designated Bathing Waters at Plymouth Hoe East and Plymouth Hoe West. The designation of a 3<sup>rd</sup> Bathing Water within the city would be beneficial to all residents and visitors, and recognised as part of the National Marine Park.</p>			
6	<p><b>Alternative options considered and rejected:</b></p> <p><i>(Option 1) Do not submit application – rejected because proposal has cross party support. All evidence required for the application has been successfully collated and application prepared. DEFRA aware of pending application and are keen to receive for this year.</i></p> <p><i>(Option 2) Delay application and submit in 2023 for Bathing Season 2024. Rejected because the data and evidence collated would be out of date.</i></p>			
7	<b>Financial implications and risks:</b> There is no cost associated with the application.			
8	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)</p>	<b>Yes</b>	<b>No</b>	<b>Per the Constitution, a key decision is one which:</b>
			x	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total
			x	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new

				savings in excess of <b>£1 million</b>
			x	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
	If yes, date of publication of the notice in the <b>Forward Plan of Key Decisions</b>			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		This links to the Council Corporate Plan as we strive to deliver a "greener City". It will support the aims and objectives of the National Marine Park and is supported by the Kings Harbour Master and Tamar Estuaries Consultative Forum.	
10	Please specify any direct environmental implications of the decision (carbon impact)		If application is successful, the sea water in Firestone Bay will be tested by the Environment Agency on a weekly basis between May and September each year. Publication of the data will keep local residents up to date on water quality and allow them to make informed judgments about when to swim. Ultimately this will lead to improved Health and Wellbeing and encourage local sustainable water based activity.	
<b>Urgent decisions</b>				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?		Yes	(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
			No	x (If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
13a	Are any other Cabinet members' portfolios affected by the decision?		Yes	
			No	x (If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			

<b>13c</b>	<b>Date Cabinet member consulted</b>							
<b>14</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b>		If yes, please discuss with the Monitoring Officer				
		<b>No</b>	x					
<b>15</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>		Anthony Payne				
		<b>Job title</b>		Strategic Director for Place				
		<b>Date consulted</b>		13/10/2022				
<b>Sign-off</b>								
<b>16</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>			DS64 22/23			
		<b>Finance (mandatory)</b>			pl.22.23.227.			
		<b>Legal (mandatory)</b>			MS/25.10.22			
		<b>Human Resources (if applicable)</b>						
		<b>Corporate property (if applicable)</b>						
		<b>Procurement (if applicable)</b>						
<b>Appendices</b>								
<b>17</b>	<b>Ref.</b>	<b>Title of appendix</b>						
	A	221005 Firestone Bay Bathing Water Briefing Note ( <i>mandatory</i> )						
<b>Confidential/exempt information</b>								
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>	<b>Yes</b>		If yes, prepare a second, confidential ("Part II") briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		<b>No</b>	x					
		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>

18b	<b>Confidential/exempt briefing report title:</b>							
<b>Background Papers</b>								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
<b>Title of background paper(s)</b>		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Cabinet Member Signature</b>								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
<b>Signature</b>				<b>Date of decision</b>	26/10/2022			
<b>Print Name</b>	Councillor Bill Wakeham							